

REMARKS

Upon entry of this response, claims 1-30, and 32-45 will be pending in the present application, with claims 1, 26, 29, 32 and 40 being independent. Claims 1, 3-11, 15-16, 18, 21, 25-26, 28-30 were rejected under 35 U.S.C. 102(e) as being allegedly anticipated by *Kalra et al* (5,953,506). Claims 2, 12-14, 17, 19-20, 22-24, 27, 32-36, 40-42, and 44-45 were rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over *Kalra* and/or other references. Applicants traverse all the above-mentioned rejections and request reconsideration in view of the following remarks.

1. Examiner Interview

Applicants would like to thank the Examiner for granting a telephonic interview on July 8, 2003. During the interview, Applicants' attorney, Mr. Sami Malas, maintained that *Kalra* does not teach "foregoing decoding of portions of the video input received by the decoding device" (disclosed in independent claims 1, 26, and 40), but instead teaches foregoing transmitting portions of a video stream to a decoding device. The Examiner indicated that he would consider allowing claims that include the above-mentioned limitation upon further review of *Kalra* and/or other references.

2. Allowable Claims

Applicants would like to thank the examiner for recognizing that claims 37-39 recite novel features and would be allowable if claim 37 is rewritten in independent form including all the limitations of claim 1. At this time, claim 37 is not amended pending the Examiner's re-evaluation of the rejected claims.

3. Independent Claim 1

Independent claim 1 was rejected under 35 U.S.C. 102(e) as being allegedly anticipated by *Kalra*, which discloses systems and methods for transmitting a subset of video frames from a server device to a client device. Applicants traverse this rejection. Claim 1 is allowable for at least the reason that *Kalra* does not teach, suggest, or disclose "foregoing decoding of portions of the video input received by the decoding device."

4. Independent Claim 26

Independent claim 26 was rejected under 35 U.S.C. 102(e) as being allegedly anticipated by *Kalra*. Claim 26 is allowable for at least the reason that *Kalra* does not teach, suggest, or disclose “foregoing decoding of portions of the video input received by the decoding device.”

5. Independent Claim 29

Independent claim 29 was rejected under 35 U.S.C. 102(e) as being allegedly anticipated by *Kalra*. Claim 29 is allowable for at least the reason that *Kalra* does not teach, suggest, or disclose “decoding a second portion of the video input received by the decoding device at a second video decoding rate while maintaining synchronization with the audio decoding rate.”

6. Independent Claim 32

Independent claim 32 was rejected as being allegedly unpatentable over *Kalra* in view of *Tan et al* (5,959,684). Claim 32 is allowable for at least the reason that the cited references do not teach, suggest, or disclose “initiating a mode of repeating pictures responsive to determining that at least one resource is constrained.” Furthermore, Applicants maintain that *Tan* does not teach suggest or disclose the concept of repeating pictures responsive to a resource being constrained, as suggested by the Office Action. Instead *Tan* teaches repeating pictures for the sole purpose of maintaining synchronization between audio and video.

7. Independent Claim 40

Independent claim 40 was rejected as being allegedly unpatentable over *Kalra* in view of *Casavant et al* (5,426,464) and *Tan*. Claim 40 is allowable for at least the reason that the cited references do not teach, suggest, or disclose “foregoing decoding of portions of the video input received by the decoding device.”

8. Dependent Claims 2-25, 27-28, 30, 33-36, and 41-45

Dependent claims 2-25, 27-28, 30, 33-36, and 41-45 are allowable for at least the reason that they includes all the features, elements and/or limitations of the respective independent claims from which they depend, and which are allowable over the cited references. Applicants are not expressly addressing the validity of assertions made by the Examiner regarding claims 2-25, 27-28, 30, 33-36, and 41-45 since the validity of such assertions are not relevant to allowance of these dependent claims. Therefore, Applicants should not be presumed to agree with any statements made by the Examiner unless otherwise indicated by Applicants.

Furthermore, and notwithstanding the foregoing reasons for the allowance of the independent claims, dependent claims 2-25, 27-28, 30, and 33-36, and 41-45 recite further features/steps and/or combinations of features/steps (as is apparent by examination of the claims) that are patentably distinct from the prior art of record. Hence there are other reasons why these dependent claims are allowable.

CONCLUSION

Based on the remarks set forth herein, Applicants respectfully submit that the pending claims are in condition for allowance. Should the Examiner have any comments or suggestions that would place the subject patent application in better condition for allowance, he is respectfully requested to telephone the undersigned attorney at (770) 933-9500.

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